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UNITED STATES DEPARTMENT  
OF HOMELAND SECURITY

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION**

GONZALES & GONZALES BONDS AND )  
INSURANCE AGENCY, INC., )

Plaintiff, )

vs. )

UNITED STATES DEPARTMENT OF )  
HOMELAND SECURITY, )

Defendant. )

Case No. C 11-02267 DMR (LB)

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING THE HEARING ON  
DEFENDANT'S MOTION TO DISMISS  
AND CASE MANAGEMENT  
CONFERENCE**

**STIPULATION**

Plaintiff Gonzales & Gonzales Bonds and Insurance Agency, Inc. ("Plaintiff" or "G&G") and Defendant United States Department of Homeland Security ("Defendant"), by and through their counsel of record, hereby stipulate and agree as follows:

1. Defendant's motion to dismiss is currently scheduled for hearing on January 26, 2012. On December 2, 2011, Defendant advised Plaintiff that it intended to amend its motion to dismiss by December 22, 2011. Defendant also advised that it would be amenable to continuing the hearing and filing deadlines so that the briefing schedule would not fall on or during the holidays.

2. Subject to the Court's approval, and in order to avoid a briefing schedule falling during the holidays, the parties hereby agree and stipulate to the following briefing schedule for the motion to dismiss:

Filing of amended motion: January 5, 2012

Opposition due: January 19, 2012

Reply due: January 26, 2012

Hearing: February 9, 2012 at 11:00 a.m.

The parties further agree that, subject to the Court's approval, the Case Management Conference will be continued from January 26, 2012 to February 9, 2012, following the hearing on the motion to dismiss. The parties will file an updated Joint Case Management Conference Statement on or before February 2, 2012.

3. The hearing date has been continued once before when the parties participated in a Mandatory Settlement Conference with Magistrate Judge Laurel Beeler, and the parties sought a continuance in order to continue their efforts to seek a resolution in this case.

4. The parties believe that the requested continuance will have little, if any, impact on the schedule for the case.

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2 IT IS SO STIPULATED.  
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5 Respectfully submitted,  
6 MELINDA HAAG  
United States Attorney

7 Dated: December 15, 2011

/s/ Ann Marie Reding  
8 ANN MARIE REDING  
9 Assistant United States Attorney  
Attorneys for the United States of America

10 Respectfully submitted,  
11 ROXBOROUGH, POMERANCE, NYE & ADREANI, LLP

12 Dated: December 15, 2011

/s/ David R. Ginsburg  
13 GARY A. NYE  
14 DAVID R. GINSBURG  
15 Attorneys for Plaintiff  
Gonzales & Gonzales Bonds  
and Insurance Agency, Inc.

~~PROPOSED~~ ORDER

Pursuant to the stipulation by the parties, and good cause having been shown, it is hereby ordered that the following schedule will apply to Defendant's amended motion to dismiss Plaintiff's Complaint:

Filing of amended motion: January 5, 2012

Opposition due: January 19, 2012

Reply due: January 26, 2012

Hearing: February 9, 2012 at 11:00 a.m.

A case Management Conference will take place following the hearing on the motion to dismiss. The parties will file an updated Joint Case Management Conference Statement on or before February 2, 2012.

IT IS SO ORDERED.

Dated: December 15, 2011



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THE HONORABLE DONNA M. RYU  
UNITED STATES MAGISTRATE JUDGE